

Introduced by Senator BeallFebruary 20, 2014

An act to amend Section 224.71 of the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1161, as introduced, Beall. Juveniles: Youth Bill of Rights.

Existing law, the Youth Bill of Rights, enumerates various specific rights for youth confined in a facility of the Division of Juvenile Facilities, including, among others, the right to live in a safe, healthy, and clean environment conducive to treatment and rehabilitation and where he or she is treated with dignity and respect.

This bill would make technical, nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 224.71 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 224.71. It is the policy of the state that ~~all~~ a youth confined in
- 4 a facility of the Division of Juvenile Facilities, *Department of*
- 5 *Corrections and Rehabilitation*, shall have *all of* the following
- 6 rights:
- 7 (a) To live in a safe, healthy, and clean environment conducive
- 8 to treatment and rehabilitation and where ~~they are~~ *he or she is*
- 9 treated with dignity and respect.

1 (b) To be free from physical, sexual, emotional, or other abuse,
2 or corporal punishment.

3 (c) To receive adequate and healthy food and water, sufficient
4 personal hygiene items, and clothing that is adequate and clean.

5 (d) To receive adequate and appropriate medical, dental, vision,
6 and mental health services.

7 (e) To refuse the administration of psychotropic and other
8 medications consistent with applicable law or unless immediately
9 necessary for the preservation of life or the prevention of serious
10 bodily harm.

11 (f) To not be searched for the purpose of harassment or
12 humiliation or as a form of discipline or punishment.

13 (g) To maintain frequent and continuing contact with parents,
14 guardians, siblings, children, and extended family members,
15 through visits, telephone calls, and mail.

16 (h) To make and receive confidential telephone calls, send and
17 receive confidential mail, and have confidential visits with
18 attorneys and their authorized representatives, ombudspersons and
19 other advocates, holders of public office, state and federal court
20 personnel, and legal service organizations.

21 (i) To have fair and equal access to all available services,
22 placement, care, treatment, and benefits, and to not be subjected
23 to discrimination or harassment on the basis of actual or perceived
24 race, ethnic group identification, ancestry, national origin, color,
25 religion, sex, sexual orientation, gender identity, mental or physical
26 disability, or HIV status.

27 (j) To have regular opportunity for age-appropriate physical
28 exercise and recreation, including time spent outdoors.

29 (k) To contact attorneys, ombudspersons and other advocates,
30 and representatives of state or local agencies, regarding conditions
31 of confinement or violations of rights, and to be free from
32 retaliation for making these contacts or complaints.

33 (l) To participate in religious services and activities of their
34 choice.

35 (m) To not be deprived of any of the following as a disciplinary
36 measure: food, contact with parents, guardians, or attorneys, sleep,
37 exercise, education, bedding, access to religious services, a daily
38 shower, a drinking fountain, a toilet, medical services, reading
39 material, or the right to send and receive mail.

- 1 (n) To receive a quality education that complies with state law,
- 2 to attend age-appropriate school classes and vocational training,
- 3 and to continue to receive educational services while on
- 4 disciplinary or medical status.
- 5 (o) To attend all court hearings pertaining to them.
- 6 (p) To have counsel and a prompt probable cause hearing when
- 7 detained on probation or parole violations.
- 8 (q) To make at least two free telephone calls within an hour
- 9 after initially being placed in a facility of the Division of Juvenile
- 10 Facilities following an arrest.

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